UNITED NATIONS

SECURITY COUNCIL
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NOTE

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

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2542nd MEETING

Held in New York on Friday, 25 May 1984, at 3 p.m.

President: Mr. Oleg A. TROYANOVSKY (Union of Soviet Socialist Republics).

Present: The representatives of the following States: China, Egypt, France, India, Malta, Netherlands, Nicaragua, Pakistan, Peru, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Upper Volta, Zimbabwe.

Provisional agenda (S/Agenda/2542)

1. Adoption of the agenda

2. Letter dated 21 May 1984 from the representatives of Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates addressed to the President of the Security Council (S/16574)

The meeting was called to order at 3.50 p.m.

Adoption of the agenda

The agenda was adopted.

Letter dated 21 May 1984 from the representatives of Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates addressed to the President of the Security Council (S/16574)

1. The PRESIDENT [*interpretation from Russian*]: In accordance with the decisions taken at the previous meeting [*2541st meeting*], I invite the Deputy Prime Minister and Minister for Foreign Affairs and Information of Kuwait and the representative of Saudi Arabia to take places at the Council table, and I invite the representatives of Bahrain, Oman, Panama, Qatar, Senegal, the United Arab Emirates and Yemen to take the places reserved for them at the side of the Council chamber.

At the invitation of the President, Mr. Al-Sabah (Kuwait) and Mr. Shihabi (Saudi Arabia) took places at the Council table; Mr. Al-Sabbagh (Bahrain), Mr. Ali (Oman), Mr. Kam (Panama), Mr. Al-Thani (Qatar), Mr. Sarré (Senegal), Mr. Al-Musfir (United Arab Emirates) and Mr. Sallam (Yemen) took the places reserved for them at the side of the Council chamber.

2. The PRESIDENT [*interpretation from Russian*]: I should like to inform members of the Council that I have received letters from the representatives of Ecuador, Jordan, Somalia and the Sudan in which they request to be invited to participate in the discussion of the item on the agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

At the invitation of the President, Mr. Albornoz (Ecuador), Mr. Salah (Jordan), Mr. Adan (Somalia) and Mr. Birido (Sudan) took the places reserved for them at the side of the Council chamber.

3. The PRESIDENT [*interpretation from Russian*]: The first speaker is the representative of Jordan. I invite him to take a place at the Council table and to make his statement.

4. Mr. SALAH (Jordan) [*interpretation from Arabic*]: Mr. President, I wish to thank the members of the Council for allowing my participation in the Council's discussion and to congratulate you most sincerely on your assumption of the presidency of the Council for this month. Having had the honour of working with you personally when Jordan was a member of the Council, I have first-hand knowledge of your eminent qualities and diplomatic skill. The good relations between our countries make it all the more gratifying to us that this grave responsibility should fall to you. Your country's support for Arab rights makes me all the more pleased to see you in the Chair. We are certain that the Council will adopt important and effective resolutions under your able guidance. I wish also to take this occasion to commend your predecessor, Mr. Vladimir Kravets, the representative of the Ukrainian Soviet Socialist Republic, for his adept conduct of the Council's work last month.

5. The Council is meeting to discuss a question vital to the freedom of international navigation in the Gulf region and to the security and stability of the States members of the Gulf Co-operation Council, which have submitted a collective complaint regarding Iranian air attacks on Saudi and Kuwaiti tankers in the territorial waters of the States members of that Council, and against other ships in international waters.

6. Iran's raids on Saudi and Kuwaiti tankers, as well as its attack on civilian shipping in international waters, constitute a grave development in the Gulf region. This gravity is reflected in two aspects: first, the illegality

and illegitimacy of those attacks; secondly, the political consequences of their continuation.

7. For more than two weeks Iran has been trying to impose a military blockade on neighbouring Arab States. The continued arbitrary attacks against civilian commercial tankers and ships in the Gulf are aimed at imposing an economic blockade on the States of the Gulf Co-operation Council by force. Iran's action is a flagrant violation of the principles of international law. Having attacked peaceful civilian commercial targets of States not parties to its war with Iraq, which has been going on for almost four years, Iran bears responsibility for the war's continuation. Some of the tankers that were attacked were in Saudi Arabian and Kuwaiti territorial waters or within those States' exclusive economic zones. Other ships were attacked in international waters. Furthermore, fraternal Kuwait and Saudi Arabia, in addition to the other members of the Gulf Co-operation Council, have declared their neutrality with regard to the Iran-Iraq war and have sought, individually and collectively, to maintain the neutrality of the Gulf, with respect not only to this war, but also to international competition and rivalry among the major Powers. Indeed, those States have made positive endeavours to put an end to the war. Thus the Iranian military operations in international waters and against civilian targets in the ports of the Arab States of the Gulf are unwarranted acts of aggression posing a grave threat to the vital interests, national economy, sovereignty and safety of those countries.

8. The resulting tension in the region, which poses a threat to the safety of international shipping, represents a serious escalation and extension of the Iraq-Iran war and could have grave consequences. Iranian military operations against international shipping and against the facilities of the Gulf States are in contravention of the principles of international law and the provisions of the Charter of the United Nations, which prohibit threats against the territorial integrity and stability of States and ban the threat or use of force in international relations. Moreover, Iran's actions violate the principle of maintaining good-neighbourly relations and the laws of neutrality. If Iran had a complaint against the Gulf States, it should have brought it to the Security Council.

9. Iran's disregard for the principles of international law and the provisions of the Charter stands in contrast to the responsible position taken by the Arab States that have been the object of recent Iranian attacks, by members of the Gulf Co-operation Council and by other members of the League of Arab States. Both Kuwait and Saudi Arabia—the two States adversely affected—have, as a matter of principle, shown a readiness to accept Iran's apology and a desire not to escalate the situation. They have used peaceful means, through internationally recognized regional and world channels. They have taken diplomatic measures within the Gulf Co-operation Council and within the League of Arab States, which have a joint defence treaty. Now they ask the Security Council to shoulder its responsibilities.

10. We in Jordan cannot accept the pretexts by which Iran is seeking to justify its attempt to impose an economic blockade of the Gulf States and to intimidate those States. If political and economic relations maintained by certain States with Iran or Iraq are a justification for attacking those States by either of the two belligerents, I assure members of the Council that a large number of States Members of the United Nations could possibly be the targets of attacks, not only by Iran but by other States as well. Many wars and armed conflicts are in progress in the world, and all the parties to those wars maintain military, economic and political relations with the majority of States in the world. It is inconceivable that such relations should in any way be considered to be a justification for changing the internationally accepted definitions of neutrality and of the state of war.

11. In the particular case of Iran, the facts show something very close to a violation of the laws of neutrality and other international obligations, but they have not provoked anyone to the point of a declaration of war. On the contrary, Iran is receiving military and political assistance from numerous States both within and outside the region.

12. The illegality and illegitimacy of recent Iranian acts of aggression in the Gulf region against tankers and other ships belonging to Arab and other States are obvious, and I need not dwell on them. More important —and more dangerous—is the political magnitude of these Iranian practices. First of all, this escalation by Iran undermines the principle of the neutrality of the Gulf. The States members of the Gulf Co-operation Council have been trying to keep this vitally important region free from big-Power rivalry and contention, and I believe that those States have earned our admiration and gratitude for their persistent endeavours and for their determination to transform the region into a place of international co-operation and mutual benefit rather than letting it be drawn into the terrible quagmire of international polarization, whose negative effects are felt in more than one part of the world.

13. In addition, the States of the region have not retreated into isolation. We are all aware of the positive role played by those States on the international scene, both economically and politically. They have always supported the voice of reason and moderation and have always stood for the values of tolerance, rationality and open-mindedness. But Iran's position *vis-à-vis* those States has become a threat to all these positive values and positions. Iran's current military actions against these Gulf States appear to be an element in a political campaign aimed at stifling them economically with the ultimate view of destabilizing them, strangling their public life and undermining the cultural values they embody, such values as tolerance, co-existence and openness to various cultures and ideas of the world.

14. Iran's recent action amounts to a use of military force to destroy the economic basis of the political stability and security of the States of the region. It takes on dangerous strategic dimensions affecting the security of the Arab nation. We in Jordan are following this closely and with the utmost concern. Israel's expansionist plans and its aspirations for new strategic positions in the Arab world cause us to be gravely concerned about Arab security and attempts to undermine the steadfastness and stability of any Arab country.

15. On another level, everybody is aware of the strategic importance of the commodity which has become the target of Iranian aggression. International economic stability depends primarily on the continued supply of energy and crude oil. Hence, impeding the peaceful commercial shipping of that commodity poses a direct threat to the security and stability of the world. Iran must be made to realize the magnitude of its current actions against its Arab neighbours. Its attempt to hinder the shipment of this important commodity could give rise to incalculable military and political dangers. Thus, Iran's attempt to obstruct international shipping and the threat it poses to Gulf security could result in instability in the region which, in turn, could lead to foreign military interventions, which would not be in the interest of international peace and security.

16. I can affirm that the concern of Jordan and the Arab world as a whole at the current threat to the security of the Gulf States arises not only from important international strategic considerations. The stability and security of the Gulf and the integrity of that part of the Arab nation, along with the values and heritage it represents and its support for Arab rights, constitute another major source of Jordan's concern at the current attempts to destabilize that part of the Arab homeland. Hence it is incumbent upon the Council promptly to condemn these actions, which represent a grave threat to the sovereignty, independence and welfare of the States of the region, as well as a danger to regional and international peace and security.

17. Iran must be made to understand that the Council has the ability to take the necessary actions to prevent a repetition of such acts and that there are other more peaceful and effective means available to Iran to end its war with Iraq: diplomatic means. Iran could also pursue a better path in order to live in peace and harmony with its neighbours: the path of co-operation and peace, instead of confrontation and war.

18. Finally, we hope that the Council will meet the challenge confronting it on this occasion.

19. The PRESIDENT [*interpretation from Russian*]: I now invite the representative of Ecuador to take a place at the Council table and to make a statement.

20. Mr. ALBORNOZ (Ecuador) [*interpretation from Spanish*]: Mr. President, I thank you for being kind enough to allow me to participate in this debate. I should like to reiterate my delegation's satisfaction at the fact that you are presiding over the Council, in view of your experience and your ability in handling the work of this paramount United Nations body. I should like also to pay a tribute to the previous President, the representative of the Ukrainian Soviet Socialist Republic.

21. In the complex and important situation which the Council has been considering, fundamental principles of international coexistence are involved which are essential for Ecuador, such as respect for the territorial integrity of States, the non-use of force in international relations, the peaceful settlement of disputes, free navigation and trade in international waters and innocent passage in national waters.

22. For these reasons Ecuador has deemed it fitting to make itself heard in this debate on a situation which is of great concern to all regions of the world. Ecuador has cordial relations with the countries involved in this conflict. These countries belong to a region which has with our own region common roots and traditions of history and culture. Paraphrasing the maxim of the International Labour Organization that poverty anywhere in the world is a threat to prosperity everywhere, it might be said, similarly, that violence anywhere in the world is a threat to peace everywhere.

23. The Gulf region has become an area of great sensitivity and importance for peace and for the world economy. Situations have arisen which have forced the sovereign will of certain countries that are not parties to the regrettable hostilities in the Gulf and have induced them to take part in a warlike situation, with calamitous consequences. This is inadmissible and dangerous for the international community.

24. The Security Council is traditionally the guardian of the principle of non-intervention, that of the non-use of force and, correlatively, that of the peaceful settlement of disputes. These principles must be converted into reality more by successful actions than by the proliferation of debates which have taken place on this subject in a number of bodies in the United Nations system, such as the Special Committee on Enhancing the Effectiveness of the Principle of Non-Use of Force in International Relations.

25. The resolutions of the Council aimed at the effective implementation of peaceful settlements of disputes may also constitute a response to the clamour of the peoples concerned. That is why my delegation has insisted on the necessity of establishing specific rules and practical and effective machinery, as set forth in the Manila Declaration on the Peaceful Settlement of International Disputes [*General Assembly resolution 37/10 of 15 November 1982, annex*] and as advocated by the Movement of Non-Aligned Countries.

26. The principle of banning the threat or use of force in relations among States is at the basis of international

law, and without it there could not be any legal coexistence, nor could the United Nations exist. Our civilization requires that the conduct of States be brought into line with that basic principle, and success in that regard would mean the complete rule of law in a civilized world. In fact, the Charter bans not only war but also the threat or use of force. In keeping with the same principle, the internationally organized community also bans economic, political and other forms of pressure, that is, anything constituting the essence of intervention. In the principle of the non-use of force, the inviolability of the territory of States is an essential element. In accordance with the same principle, States must refrain not only from the threat or use of force but also from violating existing borders as a means of settling their international disputes.

27. For Ecuador in particular and for Latin America in general, the principle of the non-use of force and that of the legal coexistence of States are one and the same. The principle of the non-use of force is directly related to the obligation under the Charter to settle international disputes by peaceful means. Therefore membership in the United Nations implies a commitment to refrain from the threat or use of force against the territorial integrity or political independence of any State and also implies a commitment to practice tolerance and to live in peace with one's neighbours.

28. As for Latin America, in the Declaration and Plan of Action recently adopted by consensus at the Latin American Economic Conference, held at Quito on 12 and 13 January 1984, the heads of State or representatives of the Latin American and Caribbean countries reaffirmed the principle of the equality and solidarity of peoples wishing to live within the framework of democratic principles, as well as the full exercise of human rights and the benefits of progress for all inhabitants, in an atmosphere free from external pressure, threats and aggression. In particular, the participants of that conference stated the following in article 2 of the Declaration:

> "We reiterate our commitment to eliminate once and for all any recourse to the threat or the use of force in the solution of international conflicts. We once again call for disarmament that will make it possible to reallocate the resources squandered on the arms race and armaments towards objectives which contribute to strengthening the development of all the peoples of the world. There is an essential link between the problems of peace and of development, since without peace, development will be unattainable, and without development, peace will always be precarious."[1]

29. The present case, which has regrettable and dangerous aspects, and the continuation of which could endanger the maintenance of international peace and security, is all the more complex because it is taking place in a region which has been the scene of a continuing cruel state of war, which must be ended. This may be the right time for the Council to stop this armed conflict between Iran and Iraq and promote the solutions advocated from time to time by the very protagonists in this regrettable situation. The Movement of Non-Aligned Countries and the Organization of the Islamic Conference have also taken important initiatives aimed at restoring peace to the region.

30. Furthermore, the recent events have violated the principle of free navigation and the free passage of commerce, with grave consequences for world economic stability and repercussions elsewhere for the supplies of many Member States.

31. Finally, there is an unacceptable situation of recourse to coercive action clearly constituting the use and threat of the use of force, aiming to extend the conflict to other countries in the region, with a clear threat to their territorial integrity.

32. For this reason, the delegation of Ecuador has come to the Council to express its earnest hope that we shall see prevail the spirit of the peaceful settlement of disputes, the wisdom to implement international law and the need to show in critical situations, such as the one before us, the effectiveness of the institutions created by the international community, which has placed its hopes in the Council, the best instrument of law to preserve or restore peace.

33. The PRESIDENT [*interpretation from Russian*]: The next speaker is the representative of the Sudan, whom I invite to take a place at the Council table and to make his statement.

34. Mr. BIRIDO (Sudan) [*interpretation from Arabic*]: Allow me, Mr. President, to extend to you and the other members of the Council our sincere thanks for giving my delegation the opportunity to participate in the Council's deliberations on the item under discussion.

35. I also extend to you warm congratulations on your assumption of the presidency of the Council for this month. We are confident that your long diplomatic and political experience, for which you are well know, will enable you to guide the Council's work to the success that we all seek and for which the whole international community yearns.

36. I also take this opportunity to extend thanks to your predecessor, Mr. Vladimir Kravets, representative of the Ukrainian Soviet Socialist Republic, for his skill and competence during his presidency of the Council in April.

37. Having heard all the comprehensive and clear statements from the Deputy Prime Minister and Minister for Foreign Affairs and Information of Kuwait, the Minister of State for Foreign Affairs of Qatar and other speakers, I need not dwell at length on the grave action taken by Iran in committing aggression against

oil-tankers of the Kingdom of Saudi Arabia and the State of Kuwait. What increases our concern is the fact that this unwarranted aggression took place in the territorial waters of the States of the Gulf Co-operation Council and outside the theatre of operations of a regrettable war which has entered its fourth year.

38. The Iranian act of aggression against the Kuwaiti and Saudi Arabian oil-tankers clearly threatens the sovereignty, independence and territorial integrity of the States of the region. It is also a flagrant threat to the freedom of navigation in international waters and waterways leading to and from the ports of all the Gulf coastal States. We also feel that this aggression is a violation of the principles of international law and the provisions of the Convention on the High Seas of 1958,[2] which places freedom of navigation at the forefront of the freedoms enjoyed by all States; the provisions of the United Nations Convention on the Law of the Sea of 1982;[3] the regional conventions concluded by the States of the region; and other international conventions in this regard.

39. The complaint lodged with the Council by six of the Member States which are known for their respect for the principles of good-neighbourliness and their commitment to the objectives of the Charter and of other regional and international organizations to which they belong, clearly reflects the deteriorating situation in that sensitive region as a result of the recent Iranian act of aggression against Saudi Arabian and Kuwaiti ships. Such an act could lead to widening the scope of the war and threatening the peace and stability of the States of the region and the whole world, involving those States in the rivalry and contention of the major Powers, and destabilizing the international economy as well as obstructing the efforts of developing countries towards construction, progress and development.

40. The Sudan has stated on several occasions in the Council and in other forums that the bleak picture that characterizes the current international situation requires all Member States to consolidate policies of peace and good-neighbourliness and to honour their commitments under the Charter on the non-use or threat of the use of force in international relations against the territorial integrity and political independence of any State.

41. It is regrettable that the acts of aggression against ships of two Member States run counter to the aims and objectives of the international community in that region, especially the conditions which it is striving to bring about among neighbouring States, such as Iran and its neighbours, which are bound by many links of religion, culture and history. Such links should have promoted relations of good-neighbourliness and mutual respect for sovereignty, independence and non-intervention in the internal affairs of these States. These links should have been a firm foundation for fruitful co-operation in all fields, including the harnessing of all their potential and resources in the interest of progress and development and in the confrontation of the genuinely fateful threats to the region and to the aspirations of its peoples.

42. This incident has once more highlighted the need for the Council to assume its responsibility to condemn and put an end to this aggression in view of its potentially destabilizing threat to the peace and security of the region and to the legitimate interests of its States and of the entire world. Moreover, the Council should also ensure against a repetition of such acts of aggression against ships sailing to and from the ports of States not parties to the hostilities, thus safeguarding freedom of navigation in the region. To that end, the Council is duty-bound to adopt effective measures required by the situation, by calling upon Iran to desist from aggression, to respect the sovereignty of the States of the region, their territorial integrity, their waterways, ports and economic installations, to fulfil the obligations of good-neighbourliness and to comply with the principles of the Charter and international law.

43. We reaffirm our belief that the only way to end once and for all the Iran-Iraq conflict is through dialogue and objective negotiation within the framework of international norms of law and legitimacy.

44. It is regrettable that the efforts of the international community, represented by the Council, and those of the Movement of Non-Aligned Countries, the Organization of the Islamic Conference, and the initiatives of the Gulf States themselves have not led to the cessation of the bloodshed and hostilities that have claimed the lives of thousands of victims in two neighbouring States.

45. Hence we feel that this act of aggression once again highlights the need for the Council to assume its responsibility to intensify its efforts at putting an end to this war and restoring peace and security to the States of the region and to the entire world.

46. The PRESIDENT [*interpretation from Russian*]: The next speaker is the representative of Panama. I invite him to take a place at the Council table and to make his statement.

47. Mr. KAM (Panama) [*interpretation from Spanish*]: I am sincerely pleased, Sir, to return to the Security Council table under your presidency of this important body. It was my personal privilege to share with you the work of the Council in 1981 and 1982, and I was an eyewitness to your great experience, well-known diplomatic skill and sober judgement. I am convinced that under your leadership the Council will demonstrate restraint and a spirit of justice as it resolves the difficult issues on its agenda.

48. I would like to convey my delegation's congratulations to Mr. Vladimir Kravets, representative of the Ukrainian Soviet Socialist Republic on his outstanding job as the President of the Council in April.

49. Panama deplored the Iran-Iraq conflict from its very inception and unequivocally supported a just, peaceful and honourable settlement for both sides. As

members of the Council in 1981 and 1982, we supported the resolutions unanimously adopted by the Council to put an end to that fratricidal war. We have consistently supported the decisions of the Movement of Non-Aligned Countries and the resolutions of the General Assembly aimed at the same goal. We have also supported the peace efforts of the Secretary-General and those of his Special Representative, Mr. Olof Palme, the Prime Minister of Sweden.

50. Panama's position on this conflict has been consistent with our record as a peace-loving country that promotes international co-operation and unswervingly advocates the peaceful settlement of international disputes.

51. For this reason, we cannot help feeling indignant and outraged over the fact that ships flying the Panamanian flag have been victims of armed attacks in the Gulf region.

52. The international press has reported these events in recent days following the sinking of the Panamanian freighter *Fidelity* which resulted in the death of a number of its crew members.

53. However, I should like to draw to the attention of the Council that armed attacks on vessels flying the Panamanian flag in the Gulf region go back to May of 1981. On 21 May 1981, the Panamanian freighter *Louis I* was attacked. Subsequently, on 11 January 1982, an attack on the freighter *Success* set it ablaze, requiring abandonment. On 15 May 1983, the Panamanian oil-tanker *Pan Oceanic* caught fire as a result of an air attack. On 25 May 1983, the Panamanian vessel *Seatrans* was damaged as a result of an air attack.

54. In more recent weeks, the renewed outbreak of hostilities between Iran and Iraq has also brought with it an intensification of attacks which, unjustifiably, have been repeated against Panamanian vessels. On 18 April of this year, the tanker *Rover Star* was damaged in an air attack. On 14 May, the Panamanian oil-tanker *Esperanza II* caught fire in another air attack. Today, the international news press agencies have reported further attacks on vessels flying the Panamanian flag.

55. However, as we denounce these facts, we do not wish to get involved in the sterile exercise of recriminations, nor do we wish to level any accusations against either side. We are advocates of positive solutions —solutions which preserve our rights and interests as the country with the world's fourth largest merchant fleet.

56. We denounce these incidents in the Security Council because we feel that this body, charged with maintaining international peace and security, cannot remain indifferent to these renewed attacks on Panamanian vessels devoted to peaceful trade.

57. My country makes an urgent appeal to the parties to the conflict to refrain from further hostile acts against Panamanian vessels and to respect and implement scrupulously the principles of international law enshrining the principle of freedom of navigation and guaranteeing innocent passage for merchant vessels.

58. We also appeal to both sides to abide by the fundamental norms of humanitarian international law, which oblige respect for civilian objectives and protection for the lives and physical well-being of those not participating in hostilities—and this would certainly apply to Panamanian vessels and their crews.

59. We must emphatically declare that Panama is not at war with anyone, nor is it party to any armed conflict. Our merchant marine occupies a prominent position in the world maritime community; it has not been, it is not, nor will it be an instrument of war. It is an unparalleled vehicle for peace and international co-operation and is engaged in peaceful commerce and economic trade among nations. Consequently, we demand that all parties show respect for our vessels, consistent with their status.

60. My delegation urges the Council to carry out its functions under the Charter and to take action to ensure that there should be no recurrence of attacks against Panamanian vessels or against ships of countries not party to the conflict. Similarly, we call on the Council to take action to ensure that the right of free navigation and trade in international waters may be effectively exercised by my country and all other countries.

61. We call on the parties immediately to cease all hostilities in the Gulf region, including all maritime corridors, navigable waterways, port facilities, terminals, off-shore structures and all ports with direct or indirect access to the sea.

62. We urge Iran and Iraq to refrain from intensifying the armed conflict which has already caused so much destruction and death. We urge them to set aside the use of force and to embark on the path of the peaceful settlement of their dispute through dialogue and negotiation. That is certainly the only path to a just and lasting peace.

63. Finally, my delegation wishes to reiterate its faith in United Nations actions, particularly in the action of the Security Council, of which we have had the honour to be a member on many occasions. Panama is a small country, possessing no force other than the moral force deriving from our unwavering support for the principles, objectives and purposes of the Charter, to which we have recourse today.

The meeting rose at 4.45 p.m.

NOTES

[1] See A/39/118—E/1984/45, annex.

[2] See United Nations, *Treaty Series*, vol. 450, No. 6465.

[3] *Official Records of the Third United Nations Conference on the Law of the Sea*, vol. XVII, document A/CONF.62/122.

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2543rd MEETING

Held in New York on Tuesday, 29 May 1984, at 10.30 a.m.

President: Mr. Oleg A. TROYANOVSKY (Union of Soviet Socialist Republics).

Present: The representatives of the following States: China, Egypt, France, India, Malta, Netherlands, Nicaragua, Pakistan, Peru, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Upper Volta, Zimbabwe.

Provisional agenda (S/Agenda/2543)

1. Adoption of the agenda
2. Letter dated 21 May 1984 from the representatives of Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates addressed to the President of the Security Council (S/16574)

The meeting was called to order at 11.30 a.m.

Adoption of the agenda

The agenda was adopted.

Letter dated 21 May 1984 from the representatives of Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates addressed to the President of the Security Council (S/16574)

1. The PRESIDENT [*interpretation from Russian*]: In accordance with the decisions taken at previous meetings on this item [*2541st and 2542nd meetings*], I invite the Deputy Prime Minister and Minister for Foreign Affairs and Information of Kuwait and the representative of Saudi Arabia to take places at the Council table, and I invite the representatives of Bahrain, Ecuador, Jordan, Oman, Panama, Qatar, Senegal, Somalia, the Sudan, the United Arab Emirates and Yemen to take the places reserved for them at the side of the Council chamber.

At the invitation of the President, Mr. Al-Sabah (Kuwait) and Mr. Shihabi (Saudi Arabia) took places at the Council table; Mr. Al-Khalifa (Bahrain), Mr. Albornoz (Ecuador), Mr. Salah (Jordan), Mr. Ali (Oman), Mr. Kam (Panama), Mr. Al-Thani (Qatar), Mr. Sarré (Senegal), Mr. Adan (Somalia), Mr. Birido (Sudan), Mr. Al-Qasimi (United Arab Emirates) and Mr. Sallam (Yemen) took the places reserved for them at the side of the Council chamber.

2. The PRESIDENT [*interpretation from Russian*]: I should like to inform members of the Council that I have received letters from the representatives of the Federal Republic of Germany, Japan and Morocco in which they request to be invited to participate in the discussion of the item on the agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

At the invitation of the President, Mr. van Well (Federal Republic of Germany), Mr. Kuroda (Japan) and Mr. Mrani Zentar (Morocco) took the places reserved for them at the side of the Council chamber.

3. The PRESIDENT [*interpretation from Russian*]: I should like to draw the attention of members of the Council to the following documents: S/16585, letter dated 25 May 1984 from the representative of the Islamic Republic of Iran to the Secretary-General; S/16586, letter dated 25 May 1984 from the representative of Norway to the President of the Security Council; and S/16590, letter dated 27 May 1984 from the representative of Iraq to the Secretary-General.

4. The first speaker is the Minister for Foreign Affairs of Bahrain, Sheikh Mohamed Bin Mubarak Al-Khalifa. I welcome him and invite him to take a place at the Council table and to make his statement.

5. Mr. AL-KHALIFA (Bahrain) [*interpretation from Arabic*]: Sir, allow me at the outset to congratulate you on your assumption of the presidency of the Council for this month. I pay a tribute to your well-known experience and wish you all success in your noble mission. By the same token, I cannot fail to pay a tribute to your country, the Soviet Union, on its positive position on Arab causes.

6. The matter before the Council today pertains to a situation whose continuation threatens international security. It needs to be dealt with decisively, clearly and swiftly if we are to avoid exacerbating the danger in a very sensitive and important region of the world.

7. The question submitted by the six States members of the Gulf Co-operation Council can be summed up in the fact that there is a threat to international freedom of navigation in the waterways of the Gulf. The clear acts of aggression carried out by Iran between 7 and 16 May against the four Saudi and Kuwaiti tankers *Uhud*, *Yanbu*, *Um Kassaba* and *Bahra* represent a flagrant

violation of international law and of the freedom of navigation and trade to and from the ports of the Gulf States. Iran carried out these attacks against the tankers one after the other, knowing full well that they were unarmed tankers belonging to Kuwait and Saudi Arabia, countries which have not participated in the Iran-Iraq war. It knew full well that they were outside the zone of military operations between the warring countries and that they were civilian tankers in full possession of the right to the freedom of navigation, in accordance with international law.

8. The world has followed these events with great concern, because they represent a premeditated attack on the sovereignty and security of two States not parties to the Iran-Iraq war. Actually, since the very beginning of that destructive war, those two States have made great efforts at mediation in order to put an end to the war and have participated in the efforts made in this regard by the United Nations, the Organization of the Islamic Conference, the Movement of Non-Aligned Countries and the Gulf Co-operation Council.

9. The Gulf Co-operation Council took an initiative of its own when it sent a mission consisting of the Ministers for Foreign Affairs of Kuwait and the United Arab Emirates to both Tehran and Baghdad, where they presented new ideas for ending the war. Unfortunately, the Iranian side was not forthcoming.

10. Bahrain maintains its firm policy of ending this war, which has caused untold suffering to the two warring countries and whose inherent danger grows worse with each passing day. We have always wished our region to be one of peace, good-neighbourliness and constant stability. Although we have repeatedly made clear our wish to improve the climate of relations with our neighbour, Iran has taken very many unfair and prejudiced positions, the latest of which have led to the dangerous developments that broaden the scope of the fighting, instead of responding positively to peace efforts based on legitimacy and the sovereignty of every State over its territory, implementation of the principle of non-interference in the internal affairs of other States and maintaining the region free of international strife.

11. The States members of the Gulf Co-operation Council will make every effort to maintain peace and stability in our region, in the interests not only of the Gulf States, but of all countries and peoples in the world, however different their political ideologies. The States members of the Gulf Co-operation Council, throughout the Iran-Iraq war, have been eager to maintain good-neighbourly relations with Iran. Nevertheless, Iran's recent acts of aggression threaten peace and security and point the tension in the region in a dangerous direction leading to its internationalization, with all the attendant dire repercussions for peace and stability in the world.

12. Proceeding from a wish to pursue all efforts to halt hostilities and put an end to the war between Iran and Iraq, the Ministers for Foreign Affairs of the Gulf Co-operation Council held an extraordinary meeting on 17 May in which they denounced these acts of aggression and warned against the dire consequences that could result from the widening of the scope of fighting in the region and the direct threat to international peace and security entailed therein. The Ministers agreed to take all necessary peaceful measures, at both the Arab and international levels, to stop the aggression, including bringing the matter to the attention of the Security Council.

13. The Ministers for Foreign Affairs of the League of Arab States held an emergency meeting on 19 May in which they denounced the attacks against the Kuwaiti and Saudi tankers and called upon Iran to desist from its acts of aggression against navigation to and from ports of States members of the Gulf Co-operation Council. They also called upon the Security Council and the international community to take decisive, clear position *vis-à-vis* those acts of aggression.

14. In paragraph 3 of its resolution 540 (1983), the Council:

> "*Affirms* the right of free navigation and commerce in international waters, calls on all States to respect this right and also calls upon the belligerents to cease immediately all hostilities in the region of the Gulf, including all sea-lanes, navigable waterways, harbour works, terminals, offshore installations and all ports with direct or indirect access to the sea, and to respect the integrity of the other littoral States".

It is clear that these acts of aggression against the tankers are in clear contravention of the provisions of that resolution.

15. It is worth recalling that while Iraq responded to the aforementioned resolution of the Security Council and was prepared to stop fighting, Iran refused to do the same.

16. In addition, the freedom of navigation in international waters is one of the established, recognized principles declared by the Dutch jurist Grotius, at the beginning of the seventeenth century. It has also been reaffirmed in all international agreements on the subject, including the Convention on the High Seas of 1958,[1] which was adopted by the first United Nations Conference on the Law of the Sea. Moreover, the principle of free navigation in international waters was never, *per se*, a subject of controversy among the States which participated in the Third United Nations Conference on the Law of the Sea.

17. Another established rule in international law is that of freedom of passage in international straits, such as the Strait of Hormuz, as declared by the International Court of Justice in 1949 in the Corfu Channel case,[2] and also as provided for in article 16, paragraph 4, of the Geneva Convention on the Territorial Sea and the

Contiguous Zone,' adopted by the first United Nations Conference on the Law of the Sea in 1958. This rule was also referred to as "transit passage" in the Convention[4] recently adopted by the Third United Nations Conference on the Law of the Sea. If a State were allowed to violate these rules and principles, it would undermine the international principles on which international freedom of navigation is based.

18. The attacks against the Saudi and Kuwaiti tankers are direct acts of aggression against the safety, security and interests of Gulf States which are not in any way involved in the hostilities between Iraq and Iran. Therefore, they are acts of aggression and run counter to the purposes and principles of the Charter of the United Nations.

19. Attempts to mediate the Iran-Iraq war, which has been going on for more than three and a half years now, have been unsuccessful because of insufficient international effort. Some influential States in the world are still calling—albeit from a distance—for an end to this war, but are taking no serious collective follow-up steps. In the past we have repeatedly warned against the dangers of a continuation of this war and the risk of its widening, as well as against the grave threat it posed to international peace and security. It is quite clear that this war is draining the human and material resources of the two belligerent States in vain. Its continuation threatens the security and interests not only of the Gulf States but of the whole world.

20. As one of the six States members of the Gulf Co-operation Council which are threatened by the continuation of this dangerous situation, my country calls upon the Security Council to take swift and decisive action to put an end to these attacks, as well as to the Iran-Iraq war, the continuation of which threatens not only the Gulf but the entire Middle East.

21. We call upon the Council to adopt the draft resolution submitted by Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and the United Arab Emirates.*

22. The PRESIDENT [*interpretation from Russian*]: The next speaker is the representative of Morocco. I invite him to take a place at the Council table and to make his statement.

23. Mr. MRANI ZENTAR (Morocco) [*interpretation from French*]: Mr. President, I wish to thank you and all the other members of the Council for allowing me to address the Council on a problem of great concern to my Government, and, indeed, to all peace-loving Governments throughout the world.

24. It is gratifying to see you presiding over the Council in this very difficult period, for we are convinced that your diplomatic skills, together with the prestige and authority justly enjoyed by the Soviet Union, a country with which the Kingdom of Morocco has very friendly and long-standing ties, will ensure the successful conduct of our work and the restoration of security, concord and peace to the region of the Gulf.

25. May I also pay a tribute to Mr. Vladimir Kravets, representative of the Ukrainian Soviet Socialist Republic, for his brilliant presidency last month.

26. The Security Council has met to consider the problem of recent Iranian aggression against the freedom of navigation in the Gulf and against the territorial integrity and national sovereignty of peace-loving neighbouring States.

27. The Islamic Republic of Iran has thus perpetrated undeclared acts of war against countries which are parties to no conflict and which have not been involved in any way in the hostilities between the two opposing countries of the region: Iraq and Iran. Furthermore, the Iranian aggressive action, which according to the Iranian authorities themselves can be expected to continue, is aimed at disrupting navigation in international waters in the Gulf, paralyzing commercial and other forms of traffic in the region and creating new difficulties for the world economy. This threatens not only many developed countries but also a great number of third-world countries, which are beset by numerous economic problems and are sorely tested by the high cost of energy.

28. If, in describing the new situation created in the Gulf region by Iran, I have perhaps shed a too harsh light on reality, if I have called a spade a spade, it is because I believe that it would not be fair or respectful to the Council, and, even more, it would not be effective, to speak to the Council in vague and falsely reassuring, and therefore misleading, terms, when in our opinion the situation developing in the Gulf is extremely serious and the Council should not lose a moment of its valuable time before facing that situation resolutely and responsibly.

29. We have here all the ingredients of a much larger explosion—even a world-wide explosion—and it is our duty to make a speedy analysis of the elements of the situation and try to put a quick end to the deterioration that has already begun, by demanding immediate respect for the spirit and letter of the Charter of the United Nations. Indeed, by the very reason of their adherence to the Charter, all the Member States are required to live together in peace as good neighbours, just as they are required to refrain from the threat or the use of force against the territorial integrity or political independence of any State.

30. When the war between Iraq and Iran flared up and assumed the regrettable proportions we are dealing with today, the Arab nations of the Gulf—whose strong feelings and concern were legitimate, given the fact that two brother countries to which they were bound by

* Circulated subsequently as S/16594.

close historical, cultural and blood ties were engaged in such a violent conflict—maintained firm neutrality and exemplary restraint. Thus, they did not involve themselves at any time in any act of war or behave in such a way as to provoke or justify any reprisals against them. But we now see their security, their sovereignty, their interests and their legitimate rights being made the targets of wanton acts of war—an undeclared war, a war that is certainly not theirs, since they have never taken part in the hostilities. Their commercial vessels, their civilian vessels—unarmed and registered world-wide as such, circulating in their own territorial waters or in free international waters—are today the targets of aerial attacks which at first were anonymous but have now been publicly acknowledged by a Member State: the Islamic Republic of Iran.

31. On 14 December 1974, the General Assembly gave the following Definition of Aggression in article 1 of the annex to its resolution 3314 (XXIX):

> "Aggression is the use of armed force by a State against the sovereignty, territorial integrity or political independence of another State, or in any other manner inconsistent with the Charter of the United Nations, as set out in this Definition."

The resolution also stated in article 2 that

> "The first use of armed force by a State in contravention of the Charter shall constitute *prima facie* evidence of an act of aggression, ..."

It added in article 5 that

> "1. No consideration of whatever nature, whether political, economic, military or otherwise, may serve as a justification for aggression.
>
> "2. A war of aggression is a crime against international peace. Aggression gives rise to international responsibility."

32. Iran's acts of aggression, furthermore, violate on more than one count the most uncontested customary rules of the law of the sea, since Iran has used force to violate the internal waters and the territorial sea of Member States and has attacked their civilian vessels in international waters. Thus, Iran's acts of aggression are wanton, unprovoked and unjustifiable and are contrary to international law. What is more, the responsibility for them has been unhesitatingly acknowledged by their perpetrators, who threaten to spread them to the rest of the world. For all those reasons, the actions by the Islamic Republic of Iran against unarmed, civilian vessels navigating outside the areas of conflict are indeed acts of aggression which violate international law and for which Iran is undeniably fully responsible.

33. Since the Iraq-Iran war broke out, many distinguished persons have spoken out and many international decisions have been adopted, particularly by the Council, calling for the immediate cessation of this tragic fraternal, vain and sterile conflict, the international consequences of which could, moreover, be incalculable—and we have a very disturbing example of this today. Good-offices missions have been arranged by the Secretary-General, the Movement of Non-Aligned Countries and the Organization of the Islamic Conference. Those missions have been welcomed in Baghdad, but invariably rejected in Tehran.

34. And need I recall here the moving, urgent and inspired appeal made last March [*S/16405*] by His Majesty Hassan II, current President of the Organization of the Islamic Conference, to the two belligerents, but also to world leaders and all men of good will, for their co-operation in the establishment of an immediate cease-fire and the resumption of talks between Iraq and Iran under the auspices of the Islamic Peace Committee? This prophetic appeal was, by its vision and its timeliness, an eloquent warning about the catastrophic dimensions that the conflict would soon assume if something was not done quickly enough.

35. It is well known in the United Nations that Iraq has always responded favourably to all the peace initiatives, whereas Iran has rigidly taken a negative and hostile position, promoting the deterioration of the situation in the Gulf as well as escalation—and today we have an illustration of that escalation which is extremely dangerous to international peace and security.

36. The Deputy Prime Minister and Minister for Foreign Affairs and Information of Kuwait, Sheikh Sabah Al-Ahmad Al-Jaber Al-Sabah, stated very eloquently at a previous meeting [*2541st meeting*] that the countries members of the Gulf Co-operation Council are trying to make their region a zone of stability and peace, because of its strategic, economic and political importance—importance both for the stability, peace and economy of the world and for the bilateral, regional and international economic development programmes. He also made it very clear that the Gulf countries intend to rely on themselves for the defence of their independence, sovereignty and security and that they confirm their devotion to their status as non-aligned countries.

37. In response to those declarations of faith, and because of the primary role that those Gulf countries constantly play in the development and balance of the world economy, particularly by direct and indirect assistance to the least developed countries, the international community, represented by the Security Council, must shoulder its responsibilities, condemn these unjustified acts of hostility in the region, order their immediate cessation and, if the countries victim of those acts desire it, order also legitimate compensation for the damages incurred by these peaceful Gulf countries. The Council must also take steps to ensure the right to free navigation and trade in international waters and respect for all the navigation routes and installations, the ports and the equipment, within the framework of respect for the territorial integrity and independence of States.

38. In thus fully assuming its responsibilities, the Council would be making the decisive contribution to the restoration and safeguarding of international peace and security incumbent upon it. In so doing it would also forestall any possibility of and eliminate any motive for foreign intervention and eliminate the risks of internationalization that are today so great and so imminent in the Gulf.

39. Finally, the Council can also reinvigorate efforts for a comprehensive peace by proposing a solution for the problems in the Gulf that could also represent the long-awaited decisive step towards the just, peaceful and equitable settlement of the fratricidal Iraq-Iran conflict, which has already lasted far too long. That is the hope my delegation cherishes today as the Council prepares to adopt what may be historic decisions.

40. The PRESIDENT [*interpretation from Russian*]: The next speaker is the representative of Somalia. I invite him to take a place at the Council table and to make his statement.

41. Mr. ADAN (Somalia): I thank you, Mr. President, and the members of the Council, for allowing my delegation to take part in this debate.

42. Your predecessor, Mr. Vladimir Kravets, has earned our gratitude for the exemplary manner in which he presided over the deliberations of the Council last month. In the light of your long experience in the affairs of the Council, over which you have presided many times in the past, my delegation is more than confident that you will bring the debate on the crisis in the Gulf region to a fruitful conclusion.

43. We feel in duty bound to speak because of our deep concern over the situation in the Gulf region. The four-year war between Iran and Iraq has from its very beginning posed a threat to regional and international peace and security. That threat has gradually intensified as the repercussions of the war have increasingly been felt in the Gulf region and on the international scene.

44. The tragic effects of this fratricidal war are compounded by the fact that neither Iran nor Iraq can hope to profit from the continuation of the fighting. The interests of both parties would best be served by a positive response from both States to the constructive efforts of mediation that have been pursued by the Organization of the Islamic Conference, the Movement of Non-Aligned Countries and, not least, by the Secretary-General.

45. Unfortunately, those efforts for peace have not been heeded. On the contrary, a new degree of instability has now, regrettably, been added to an already combustible situation by Iran's attack on Saudi and Kuwaiti oil-tankers in the territorial waters of those countries and in international waters outside the declared zone of war.

46. This disturbing development calls for renewed efforts by the international community to bring to an end this senseless conflict that is as futile as it is destructive. This tragic war between two Islamic nonaligned countries has exacted and continues to exact a terrible toll in human lives and in wasted resources. In our view, it is no longer important which side started the conflict, for it is self-evident that its peaceful resolution is of the utmost urgency.

47. I need not emphasize the fact that the widening of the conflict in a region of crucial importance for world peace and economic stability carries the most serious consequences, including the danger of great-Power confrontation and intervention. Nor need I remind the Council of the fact that freedom of navigation and commerce in the Gulf region is of vital economic importance not only to the Gulf States but to the national interest of one super-Power and its allies and that, similarly, the region of conflict is so geographically close to the territory of the other super-Power as to make it of significant importance to that Power's national security. Indeed, the Iran-Iraq war is so pregnant with danger to international peace and security that a way must be found to bring it to a speedy end.

48. Last October, in its resolution 540 (1983), the Council—not for the first time—rightly called for the cessation of hostilities and affirmed the right of free navigation in international waters in the Gulf region. It also asked the belligerents to respect the integrity of the littoral States, to exercise the utmost restraint and to avoid any further escalation or widening of the conflict. What has been the response to that resolution? Hostilities between the warring States have intensified, and the conflict has been internationalized by attacks on ships of countries not parties to the war.

49. In the view of my delegation, the Council is faced with a serious threat to both regional and international peace. It must call upon Iran to end its attacks on sea traffic to and from the ports of the States members of the Gulf Co-operation Council. It must also demand that Iran comply with relevant United Nations resolutions, respect the principles of international law regarding the freedom of innocent passage and freedom of navigation in international waterways and observe the requirements of good-neighbourliness, particularly those pertaining to respect for the sovereignty and territorial integrity of the neighbouring, non-belligerent, Gulf States.

50. My delegation believes that the Council must also pursue vigorously the search for ways and means to bring about the participation of both Iraq and Iran in the process of peaceful negotiation. My Government has strongly welcomed the acceptance by Iraq of the resolutions of the Council and its co-operative response to various proposals put forward as bases for negotiation by the Organization of the Islamic Conference, by the Movement of Non-Aligned Countries and by the Secretary-General. We therefore appeal to the brotherly

State of the Islamic Republic of Iran to do likewise by responding to the desire of the Islamic world—and, indeed, of the whole of the international community—that it accept the resolutions of the Council and join without further delay in negotiations for a settlement that guarantees the rights of both warring parties.

51. It has repeatedly been emphasized in this debate that neither Iran nor Iraq stands to gain from the bitter conflict in which they are engaged. However, the belligerents, the Gulf region and the whole world would all gain immeasurably from an honourable, just and enduring settlement. It is our profound hope that counsels of moderation will prevail and that positive steps will be taken along the road to peace.

52. The PRESIDENT [*interpretation from Russian*]: The next speaker is the representative of Japan. I invite him to take a place at the Council table and to make his statement.

53. Mr. KURODA (Japan): First of all, Sir, on behalf of the Japanese delegation, I should like to extend congratulations to you on your assumption of the presidency of the Council for this month. We are confident that your outstanding diplomatic skill will ensure that the Council smoothly carries out its important tasks. The Japanese delegation also wishes to take this occasion to express its appreciation for the excellent manner in which Mr. Kravets performed his duties as President last month.

54. The armed conflict between Iran and Iraq, already more than three years old, has shown little sign of abating, in spite of the intensive efforts made by the international community through various channels. On the contrary, the most recent developments indicate that the situation is entering a new stage of escalation.

55. Japan is deeply concerned about conditions in the Gulf, for they seriously threaten not only the peace and stability of the region but also the peace and prosperity of the entire world. My country is acutely aware of the dangers inherent in the present situation.

56. The Government of Japan maintains friendly relations with both conflicting parties and does not favour one side over the other. Taking every opportunity, it has been tireless in its diplomatic efforts to help create a climate conducive to an early and peaceful settlement of the conflict.

57. In accordance with that position, I wish to emphasize the following points.

58. First, the intensification of attacks on tankers and commercial vessels is a source of gravest concern to Japan. My Government strongly appeals to both parties to respect the right to safe navigation in the Gulf and to refrain from any act which could further endanger peace and security in the Gulf.

59. Secondly, Japan calls upon Iran and Iraq and all other States to exercise maximum restraint so that hostilities will not spread to other parts of the Gulf region. Moreover, we appeal to all members of the international community to refrain from any act which could lead to a further escalation of the conflict.

60. Thirdly, my country expects that the Secretary-General will continue his peace efforts and earnestly hopes that other diplomatic endeavours will be continued and strengthened by the international community. Japan appeals to both Iran and Iraq to respond positively to these efforts.

61. My country, for its part, will continue to make every effort to foster a climate in which peace and stability can be restored to the region.

62. The PRESIDENT [*interpretation from Russian*]: The next speaker is the representative of the Federal Republic of Germany. I invite him to take a place at the Council table and to make his statement.

63. Mr. van WELL (Federal Republic of Germany): Mr. President, let me first of all express my gratitude to you and the other members of the Council for allowing my delegation to participate in this debate. This gives me the opportunity to express our confidence in your wisdom, experience and skill as you guide the work of the Council this month.

64. My delegation has asked to take part in this debate in order to express the deep concern of the Government of the Federal Republic of Germany at the recent developments in the Gulf region and to emphasize its great interest in a successful effort in the Council to prevent the further deterioration of the situation. There is reason to fear that the ongoing conflict between Iraq and Iran might lead to a dangerous escalation, affecting other countries in the region and well beyond. The increasing attacks against tankers and other commercial ships in the Gulf region represent a severe blow to the freedom of navigation, a fundamental principle of international law.

65. The 10 States members of the European Community have in the last few days, in a common *démarche* at Baghdad and Tehran, expressed their concern to the parties to the conflict.

66. My Government would like once more to stress the importance it attaches to the principles of free navigation and free commerce in international waters. Furthermore, the Government of the Federal Republic of Germany would like to emphasize the need for all parties concerned to observe the utmost restraint to help prevent an already dangerous situation from being exacerbated even further. We appeal to the parties to the conflict and to the neighbouring countries, as well as to the international community, to help achieve this aim. This would be not only in the interest of the countries of the region but also in the international interest because

the negative economic implications of sustained warfare of the kind we have been witnessing over the last few weeks would be clearly felt everywhere and would affect not least the developing countries.

67. We hope that the recent series of air attacks on the shipping of non-belligerents in territorial waters and in international waters will remain a singular event and that this dangerous spill-over of the root conflict between Iran and Iraq will not recur.

68. The Government of the Federal Republic of Germany and the people of my country are deeply troubled by the bitter war raging between Iraq and Iran. This war has not only meant a tremendous loss of human life and resources on both sides; it is also dividing two countries with which the German people has traditional bonds of friendship as well as close political, economic and cultural relations.

69. We therefore earnestly hope that the present debate in the Council and the resulting resolution will contribute to the removal of the most imminent danger of escalation and the spread of hostilities, which is a threat to free navigation in the Gulf. That would be a first step towards containing and reducing the military confrontation and preparing the ground for a comprehensive settlement of the conflict. It is obvious that this can be achieved only if all legitimate positions and interests are taken into consideration. We hope that all members of the Council will be able to agree on a resolution that will give expression and correspond to the great responsibilities of the Council under the Charter.

70. We also appeal to all parties to be conscious of their responsibility and to exercise utmost restraint in order to reduce tension. This would greatly ease the difficult task of the Secretary-General. We welcome his readiness, as expressed in his statement of 17 May, to assist in any endeavour, and we ask the parties concerned to co-operate fully with him.

71. The PRESIDENT [*interpretation from Russian*]: The next speaker is the representative of the United Arab Emirates. I invite him to take a place at the Council table and to make his statement.

72. Mr. AL-QASIMI (United Arab Emirates) [*interpretation from Arabic*]: May I congratulate you, Sir, on your assumption of the presidency of the Council for this month. Your great political and diplomatic experience, as well as the wisdom and competence you have demonstrated both within and outside the United Nations, are our best guarantees that the Council's discussion and decisions will be marked by objectivity and a sense of responsibility. My congratulations go also to your predecessor, Mr. Vladimir Kravets the representative of the Ukrainian Soviet Socialist Republic, for the constructive manner in which he presided over the work of the Council last month.

73. Many international agreements have guaranteed the sovereignty of States over their territorial waters and freedom of navigation on the high seas, the most recent of which is the United Nations Convention on the Law of the Sea, concluded in 1982.[4] My country's respect for these principles as they relate to its territorial waters, the adjacent maritime passages and the high seas derives from our commitment to the principles of international law and to international instruments and conventions. Given the strategic importance of the Gulf and its important role in the world economy, the adverse consequences of any violation of those instruments would spread beyond the countries of the region to the entire world.

74. Indeed, we have always feared the destructive consequences of a widening of the Iran-Iraq war. That is why we have consistently supported regional and international initiatives to put an end to that conflict. Not content with supporting the initiatives of others, the Government of the United Arab Emirates, in co-operation with the sisterly Government of Kuwait, and in accordance with the mandate entrusted to it by the Gulf Co-operation Council, undertook a mission of mediation between Iran and Iraq to put an end to the war and to guarantee the interests and legitimate rights of both sides of the conflict. We appreciated the position of Iraq, which responded favourably to all regional and international peace initiatives to put an end to the war and ensure a withdrawal to the international frontiers in order to establish security and stability in the region.

75. Given the good relations between the United Arab Emirates and the Islamic Republic of Iran and our friendship for the Iranian people, we would once again appeal to that Government to give a positive response to international and regional mediation undertaken with a view to halting the war and restoring stability and security to our region.

76. The Security Council has in the past conducted thorough deliberations on various aspects of the serious consequences of the continuing war between Iran and Iraq, and has adopted decisions and launched appeals designed to put an end to the war which have yielded no positive results. Today, the Council is once again considering recent developments and repercussions resulting from that continuing war, which are not confined to the two countries directly involved in the conflict but also involve other fraternal countries in the region—the Kingdom of Saudi Arabia and Kuwait—as borne out by the attacks carried out against their ships in territorial waters of the Gulf and in international waters beyond the area of the conflict. A product of the continuing war, the recent deplorable developments of the conflict in the region pose a danger to the security and other interests of countries in the region in particular and, indeed, to the countries of the entire world in general.

77. My delegation considers that the Council today must shoulder its responsibilities and take up this chal-

lenge in a serious and decisive manner in order to ensure the credibility of its resolutions and their implementation so as to avoid any further deterioration of the situation, prevent spreading the conflict to other countries in the region and using war to justify any foreign intervention.

78. Because my country borders on the Gulf, it must safeguard the security of the Gulf and condemn attacks detrimental to its security. The economy and the development of the United Arab Emirates and of other Gulf countries require them to maintain freedom of navigation in the waters of the Gulf. That is why these countries must do their utmost to ensure freedom of navigation and find ways to protect the Gulf from danger.

79. Accordingly, the Government of my country and the other States members of the Gulf Co-operation Council have submitted a complaint to the Security Council calling on it to condemn Iranian aggression against the ships of Saudi Arabia and Kuwait in the territorial waters of those two countries and in the adjacent maritime passages, and to put an end to that aggression, which is detrimental to the interests of the members of the Gulf Co-operation Council and, indeed, of all countries of the world. Proceeding from this principle, we would appeal to the Security Council resolutely to shoulder its responsibilities under the Charter of the United Nations in order to avoid any repetition of such violations of law and acts of aggression and to urge all Member States to do their utmost to put an end to this situation.

80. The PRESIDENT [*interpretation from Russian*]: The next speaker is the representative of Oman. I invite him to take a place at the Council table and to make his statement.

81. Mr. ALI (Oman) [*interpretation from Arabic*]: Sir, at the outset I should like to congratulate you on your assumption of the presidency of the Council. We hope that your efforts will be crowned with success.

82. The Iran-Iraq war has taken a new and dangerous turn, threatening peace and security in one of the most sensitive regions of the world. On 13 May, the Air Force of the Islamic Republic of Iran launched a direct attack on the Kuwaiti oil-tanker *Um Kassaba*; on 14 May, it attacked the Kuwaiti oil-tanker *Bahra*; it continued on 16 May with an attack on the Saudi oil-tanker *Yanbu*. These attacks, carried out by Iran on oil-tankers of Arab States members of the Gulf Co-operation Council, were a materialization of Iran's threats to expand the scope of the war to include the Gulf States not parties to the Iran-Iraq conflict.

83. The Sultanate of Oman approves neither of threats nor of the obstruction of navigation. It considers any such act a dangerous precedent, contrary to the laws of navigation and a flagrant violation of the principles of international law and of the Charter of the United Nations.

84. Iraq, being in a declared state of war with Iran, blockaded Iranian ports and attacked vessels and tankers sailing to and from Iranian ports. However, this in no way justifies Iran's attacks on tankers and vessels proceeding to and from the ports of the Arab States members of the Gulf Co-operation Council, which do not wish to be dragged into the conflict.

85. The Sultanate of Oman enjoys ties of religion, tradition and a long history with both Iraq and Iran. It wishes to maintain good-neighbourly and friendly relations with the Islamic Republic of Iran. This wish does not stem from weakness or from fear of a stronger and more populous neighbour, because our national capabilities and our relations with friendly countries are enough to deter any attack on our territory or national interests; rather our position is based on a sincere belief in respect for the rights of national sovereignty and in the principles of non-interference in the internal affairs of other States and the settlement of all disputes by peaceful means. We also believe in the inadmissibility of major-Power hegemony over smaller States; we believe that the power of smaller States derives from their adherence to and respect for the Charter.

86. The Sultanate of Oman has participated in the many efforts to put an end to the tragic conflict between the two sister countries of Iraq and Iran. It will continue to make such efforts. We shall endeavour, by all the means at our disposal and in co-operation with the Arab States members of the Gulf Co-operation Council, to avoid any further complication of the situation. We also call upon the belligerents to heed the principles of peace and to respect the interests of neighbouring countries.

87. The events of the past few days have affirmed the concern of the international community as expressed by the Security Council in its resolution 540 (1983). That resolution affirmed the right of free navigation and commerce in international waters, called for the cessation of hostilities in the region of the Gulf and for respect for the integrity of the littoral States; it also called upon States to refrain from any act which might lead to a further escalation and widening of the conflict.

88. We now call upon the Council, as the organ entrusted with responsibility for the maintenance of international peace and security, to reaffirm the inviolability and freedom of navigation to and from the ports of Arab States members of the Gulf Co-operation Council, as those ports belong to States that are neutral in the Iraq-Iran conflict.

The meeting rose at 12.40 p.m.

NOTES

[1] See United Nations, *Treaty Series*, vol. 450, No. 6465.

[2] *Corfu Channel case, Judgment of April 9th, 1949: I.C.J. Reports 1949*, p. 4.

[3] United Nations, *Treaty Series*, vol. 516, No. 7477.

[4] *Official Records of the Third United Nations Conference on the Law of the Sea*, vol. XVII, document A/CONF.62/122.

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